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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

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UNITED STATES OF AMERICA,)	CASE NO. CR05-033-RSL
Plaintiff,)	
v.)	SUMMARY REPORT OF U.S.
JACKIE LEE HARRIS,)	MAGISTRATE JUDGE AS TO
Defendant.)	ALLEGED VIOLATIONS
)	OF SUPERVISED RELEASE

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14 An initial hearing on supervised release revocation in this case was scheduled before me
15 on September 12, 2008. The United States was represented by AUSA Ronald Friedman and the
16 defendant by Carol Koller. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about September 8, 2005 by the Honorable Robert
18 S. Lasnik on a charge of Possession of an Unregistered Firearm, and sentenced to 48 months
19 custody, 3 years supervised release. (Dkt. 26.)

20 The conditions of supervised release included the standard conditions plus the requirements
21 that defendant cooperate in the collection of DNA, be prohibited from possessing a firearm, submit
22 to mandatory drug testing, participate in a drug program, abstain from alcohol, submit to search,

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01 and provide access to financial information.

02 On July 28, 2008, defendant's probation officer reported that defendant tested positive for
03 methamphetamine. Defendant was reprimanded, placed in a structured testing program, and
04 referred for professional assessment. No further action was taken at the time. (Dkt. 28.)

05 In an application dated September 4, 2008 (Dkt. 29), U.S. Probation Officer Monique D.
06 Neal alleged the following violations of the conditions of supervised release:

07 1. Failing to notify the probation officer at least 10 days prior to any change in
08 residence or employment, in violation of standard condition No. 6.

09 2. Using methamphetamine and marijuana on or before July 23, 2008, in violation of
10 standard condition No. 7.

11 3. Failing to report for drug testing as instructed by his U.S. Probation Officer on
12 August 22, August 27, and September 4, 2008, in violation of the special condition that the
13 defendant participate as instructed in a program approved by the probation office for treatment
14 of narcotic addiction, drug dependency or substance abuse which may include testing to determine
15 if the defendant has reverted to the use of drugs or alcohol.

16 Defendant was advised in full as to those charges and as to his constitutional rights.

17 Defendant admitted the alleged violations and waived any evidentiary hearing as to
18 whether they occurred.

19 I therefore recommend the Court find defendant violated his supervised release as alleged,
20 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be
21 set before Judge Lasnik.

22 / / /

01 Pending a final determination by the Court, defendant has been detained.

02 DATED this 12th day of September, 2008.

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05 Mary Alice Theiler
06 United States Magistrate Judge

07 cc: District Judge: Honorable Robert S. Lasnik
08 AUSA: Ronald Friedman, Andrew C. Friedman
Defendant's attorney: Carol Koller
Probation officer: Monique D. Neal